



ESOP PAC

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Chair
Frieda S. Takaki

Treasurer
J. Michael Keeling

September 13, 2011

Mr. Christopher J. Morse, Senior Reports Analyst
Reports Analysis Division
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

Re: Mid-Year End Report (01/01/11 – 06/30/11)

Dear Mr. Morse:

Thank you for notifying me of the discrepancies in the above-referenced report.

Enclosed is a copy of the letter you sent regarding discrepancies on the above-referenced report. Regarding Item #1 of your letter, as we discussed on the telephone earlier today I have contacted the persons at Sammons Enterprises, Inc. PAC and at Terracon PAC. Enclosed is a copy of the Terracon PAC check reflecting that the check contributed to ESOP PAC was a PAC-to-PAC contribution written on a check from the PAC bank account.

As noted in the memo text on the Amended Mid-Year End Report the contact person at Sammons, Inc. PAC recognizes that their PAC made a clerical error and will be amending their PAC report.

Items 2 through 4 of your letter have been addressed via the filing of an Amended Mid-Year End Report.

I believe that we have resolved the inquiries made in the above-referenced notice. I hope that this response satisfies the above-referenced problems. Should you have any further questions regarding same, please feel free to telephone me.

Sincerely yours,

Gwenn E. Rosenthal, Vice President
The ESOP Association
(on behalf of ESOP PAC)
J. Michael Keeling, Treasurer)

11030662805

Terracon

June 22, 2011

RECEIVED
JUN 27 2011

BY: _____


Mr. Michael Keeling
ESOP PAC
1726 M Street, NW
Suite 501
Washington, DC 20036

Dear Mr. Keeling:

Enclosed is a \$1,000 contribution to the ESOP PAC from the Terracon PAC. We appreciate all the good work that the ESOP Association does on behalf of ESOP Companies.

Sincerely,

TERRACON


Roger R. Herting, CPA
Executive Vice President / CFO

RRH:sjm:ESOP-PAC Donation 2011

Enclosure: Check



TERRACON
POLITICAL ACTION COMMITTEE
18001 W. 106th Street
Olathe, Kansas 66061

Date
06/15/11

Check Number
15-10095

89
70

PAY EXACTLY
\$1,000.00

PAY One thousand and 00/100 Dollars

TO THE ORDER OF
ESOP PAC



Donald A. [Signature]

TERRACON
POLITICAL ACTION COMMITTEE

Check Number
15-10095
Date
06/15/11
Amount
\$1,000.00



RECEIVED
JUN 27 2011
BY [Signature]

NOT NEGOTIABLE
Please Detach Check From This Voucher

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
SEP 08 2011
BY: _____

RQ-2

September 7, 2011

J. MICHAEL KEELING, TREASURER
ESOP ASSOCIATION PAC
1726 M STREET, NW SUITE 501
WASHINGTON, DC 20036

Response Due Date

10/12/2011

IDENTIFICATION NUMBER: C00196089

REFERENCE: MID-YEAR REPORT (01/01/2011 - 06/30/2011)

Dear Treasurer:

This letter is prompted by the Commission's preliminary review of the report(s) referenced above. This notice requests information essential to full public disclosure of your federal election campaign finances. **Failure to adequately respond by the response date noted above could result in an audit or enforcement action.** Additional information is needed for the following 4 item(s):

1. A review of the report filed by your committee indicates that your committee received one or more contributions from "Sammoas Enterprises Inc. Political Action Committee" and "Terracon PAC" which has not been disclosed on their report(s) of receipts and disbursements. Please provide clarifying information regarding the source of the contribution(s) received by your committee. (11 CFR §104.3(b))

2. Schedule A supporting Line 11(a)(i) of your report discloses receipts identified as "Ms Unitemized Unitemized." Please be advised that federal regulations require the itemization of all contributions from individuals/persons that aggregate greater than \$200 in the calendar year. Contributions from individuals/persons that aggregate \$200 or less need only be disclosed on Line 11(a)(ii) of the Detailed Summary Page.

Please clarify whether the receipts disclosed on Schedule A includes any contributions that aggregate greater than \$200 from an individual/person in the calendar year. If this is the case, please amend your report by itemizing the contributions from each individual/person on Schedule A. (11 CFR §104.3(a)(2))

3. Your report disclosed a category of financial activity that has been reflected on the wrong line of the Detailed Summary Page. Contributions from other political committees (such as PACs) should be properly disclosed on a separate

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ESOP ASSOCIATION PAC

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Schedule A, supporting Line 11(c) of the Detailed Summary Page. Please refer to the instructions for each line when determining the proper categorization(s) for your next filing. (2 U.S.C § 434(b) and FORM 3X Instructions)

4. Schedule B of your report (see attached) discloses one or more contributions which appear to exceed the limits set forth in the Act. 2 U.S.C. §441a(a) prohibits a multicandidate committee and its affiliates from making a contribution to a candidate for federal office in excess of \$5,000 per election.

If any apparently excessive contribution in question was incompletely or incorrectly disclosed, you should amend your original report with clarifying information.

If any contribution you made exceeds the limits, you must request a refund of the excessive amount or provide a written authorization for a redesignation of the contribution pursuant to 11 CFR §110.2(b) within 60 days of the treasurer's receipt.

If the foregoing conditions for redesignations were not met within 60 days of the treasurer's receipt, your committee must obtain a refund of the excessive amount. (11 CFR §103.3(b)(1) and (3))

Please inform the Commission of your corrective action immediately in writing and provide a photocopy of the refund or redesignation request sent to the recipient committee(s). In addition, any refunds should be disclosed on Schedule A supporting Line 16 of the report covering the period during which they are received. Any redesignations should be disclosed as memo entries on Schedule B supporting Line 23 of the report covering the period during which the redesignation is made. (11 CFR §110.1(b))

Although the Commission may take further legal action regarding the excessive contribution(s), your prompt action in obtaining a refund and/or redesignating the contribution(s) will be taken into consideration.

Please note, you will not receive an additional notice from the Commission on this matter. Adequate responses must be received by the Commission on or before the due date noted above to be taken into consideration in determining whether audit action will be initiated. Failure to comply with the provisions of the Act may also result in an enforcement action against the committee. Any response submitted by your committee will be placed on the public record and will be considered by the Commission prior to taking enforcement action. **Requests for extensions of time in which to respond will not be considered.**

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ESOP ASSOCIATION PAC

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Electronic filers must file amendments (to include statements, designations and reports) in an electronic format and must submit an amended report in its entirety, rather than just those portions of the report that are being amended. If you should have any questions regarding this matter or wish to verify the adequacy of your response, please contact me on our toll-free number (800) 424-9530 (at the prompt press 5 to reach the Reports Analysis Division) or my local number (202) 694-1133.

Sincerely,



Christopher Morse
Senior Campaign Finance Analyst
Reports Analysis Division

**Excessive Contribution to a Committee/Candidate
ESOP PAC (C00196089)**

Recipient Name	Date	Amount	Election	Report
Snow for Senate	11/29/10	\$1,500.00	P2012	2010 Year End
Snow for Senate	1/24/11	\$1,000.00	P2012	2011 Mid Year
Snow for Senate	3/1/11	\$2,000.00	P2012	2011 Mid Year
Snow for Senate	4/11/11	\$1,000.00	P2012	2011 Mid Year

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Federal Election Commission
ENVELOPE REPLACEMENT PAGE FOR INCOMING DOCUMENTS
The FEC added this page to the end of this filing to indicate how it was received.

<input type="checkbox"/> Hand Delivered	Date of Receipt
<input checked="" type="checkbox"/> USPS First Class Mail	Postmarked 9/14/11
<input type="checkbox"/> USPS Registered/Certified	Postmarked (R/C)
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Delivery Confirmation™ or Signature Confirmation™ Label <input type="checkbox"/>	
<input type="checkbox"/> USPS Express Mail	Postmarked
<input type="checkbox"/> Postmark Illegible	
<input type="checkbox"/> No Postmark	
<input type="checkbox"/> Overnight Delivery Service (Specify):	Shipping Date
Next Business Day Delivery <input type="checkbox"/>	
<input type="checkbox"/> Received from House Records & Registration Office	Date of Receipt
<input type="checkbox"/> Received from Senate Public Records Office	Date of Receipt
<input type="checkbox"/> Received from Electronic Filing Office	Date of Receipt
<input type="checkbox"/> Other (Specify):	Date of Receipt or Postmarked



PREPARER

(3/2005)

9/19/11

DATE PREPARED

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